

REMARKS

Claims 1-64 remain pending in the above-captioned Patent Application. Claims 1-48 stand rejected, and the remaining claims are objected to as depending from rejected claims, but allowable if combined with the recitations of the claims from which they depend.

Claims 1-48 have been rejected under 35 U.S.C., §102 (b) as being anticipated by the Japanese Published Abstract 60187073, and specifically, FIG. 2 in the Japanese language version of the published Patent Application No. JP59041914, filed on March 7, 1984, and published on September 24, 1985 ("Sato").

The Examiner has taken the position that FIG. 2 of Sato discloses a:

gas discharge laser comprising an interior wall comprising a vertical wall and an adjacent bottom wall; a gas circulation fan 19 creating gas flow path adjacent the interior vertical wall and the adjacent bottom wall and an in-chamber dust trap 23 positioned a region of low gas flow.

Claim 1 has been amended to recite "a dust trap positioned in a region of low gas flow."

This amendment is for the purpose of correcting an obvious typographical error that is believed to have led to confusion over the meaning of the claim recitations and not for any other purpose, including to define over any prior art. The claim as filed and properly interpreted to read as amended, which it clearly was intended to mean as filed, defines over the art as explained in this Response to the outstanding Office Action in the above-referenced application. Indeed, the amendment broadens the claim by clarifying its meaning to cover what it might not have covered before the amendment, due to unclarity.

Sato does not show a dust trap at all, as that term is defined in the Specification of the above-captioned Patent Application. Sato discloses a dust filter through which the gas flow from the fan 19 flows. In addition, Sato does not disclose a dust trap that is "positioned in a region of low gas flow", as that term is also defined in the Specification of the above-captioned Patent Application. The filter 23 in Sato is positioned directly in the flow path of the gas in the laser interior being circulated by the fan 19. The gas must

pass through the filter 23 in order to reach the return of the intake of the fan 19 inside the chamber 11. That is, the flow of the gas has to exit chamber 11 through the filter 23, and then enter the flow controller 22 in the vicinity of the resonator rear mirror 17a in order to get back to the fan 19 for further recirculation.

Thus, the filter 23 of Sato, even if considered a dust trap, is not in the claimed position of low gas flow, as that term is defined in the Specification, and recited in the claims of the above-captioned Patent Application. It does not work the same way as the dust trap, as described and claimed in the above-captioned Application. It suffers from the same infirmity of prior art dust filters positioned in the gas flow path, i.e., increased pressure drop and slowing of gas circulation across the filter from the high pressure side to the lower pressure side, and therefore, exponentially higher power requirements to maintain the same gas circulation flow in the laser chamber, as without such a filter in place.

The Examiner has taken the position that the filter 23 of Sato is "positioned along an interior wall of the laser chamber 11 of Sato."

At best, the illustration of FIG. 2 in the Japanese published Abstract of Sato shows a filter 23 positioned in the lower wall of the laser chamber, or formed by the lower wall of the chamber, which cannot be, otherwise the gas would escape to the surroundings through the wall, forming a filter through which the gas could flow. It is apparent that the lower wall blocks the flow of gas to the surroundings, and the filter 23 is only positioned in the lower wall, in a position to allow gas flow into the bellows containing the rear resonator mirror 17a, and then back to the main chamber through the flow controller 22. Thus, at worst, FIG. 2 of Sato shows a filter 23 that is the lower wall of the chamber (which cannot work as just explained), or is formed in the lower wall, and not the claimed "positioned along."

In any event, claim 2 should be allowed as depending from an allowable claim, not anticipated by Sato, as explained above. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

The Examiner has taken the position that as to claims 3-16, FIG. 2 of Sato discloses that the "dust trap comprises a plurality of meshed screens." In the first place, the Abstract, even in the referenced FIG. 2, describes no details of the filter 23, whether it

is meshed wire, or otherwise. In addition as just noted, at best, the filter 23 is shown in a cross-sectional view to be an annular unit extending around the circumference of whatever the shape of the flow controller 22 is, cylindrical or whatever. As such, it is a single annular filter and not as the Examiner suggests a plurality of anything, much less a plurality of wire meshes. For these additional reasons, the rejection of claims 3-16, as anticipated by Sato, is improper.

In any event, claims 3-16 should be allowed, along with claims 1 and 2, which are not anticipated by Sato. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

As to claims 17-48, the Examiner has taken the position that FIG. 2 of Sato "shows a dust trap that extends along the bottom interior wall and a vertical portion of the interior wall." As explained above, at worst, Sato shows a filter 23 that forms the entire bottom wall of the chamber 11, and does not extend along a vertical wall of the chamber (which cannot work if gas is to be contained in the chamber 11, and not pass through the wall formed by a filter element outside of the bellows 18) and, at best, Sato discloses a filter 23 within the bottom wall and intermediate the chamber 11 and interior of the bellows 18, which does not even touch the vertical wall, much less extend along it.

For these additional reasons, the rejections of claims 17-48, as anticipated by Sato, are improper, and the Examiner is respectfully requested to withdraw the rejections of claims 17-48 and allow claims 17-48. The objected to claims 49-64 should now be allowable without objection, as filed, since they do not depend from claims that are not allowable.

In any event, claims 3-16 should be allowed, along with claims 1 and 2, which are not anticipated by Sato. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

CONCLUSIONS

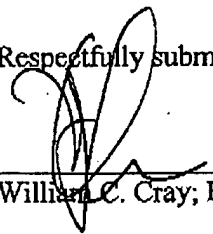
For the above-stated reasons, the Examiner's rejections of claims 1-48 are improper, and the Examiner is respectfully requested to withdraw the rejection of claims 1-48 under 35 U.S.C. §102 (b), and allow claims 1-48.

Applicants do not believe that any additional fees or charges are due in the above-captioned application for its continued prosecution, however, in the event that any such fees or charges are due and owing, then the Commissioner is hereby authorized to charge

Atty. Docket No. 2003-0092-01
USSN 10/815,387

any such additional fees or charges to the Deposit Account of the Assignee of the present application, Cymer Inc., Deposit Account No. 03-4060.

Respectfully submitted,



William C. Cray, Reg. No. 27,627

February 19, 2008
CYMER, INC.
Customer No. 21773
Telephone: (858) 385-7185
Facsimile: (858) 385-6025